

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>TAMARA ROUNDS, as Guardian of minors</b>	)	
<b>MARK WEIHE and BRITTANY WEIHE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 08-03-GPM</b>
	)	
<b>JAMES BERNA and DRIVER LOGISTICS,</b>	)	
<b>L.L.C.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER OF DISMISSAL**

**MURPHY, District Judge:**

On December 30, 2008, Plaintiff filed a motion to voluntarily dismiss this action without prejudice. Defendants have not filed a response to the motion, and their counsel has advised that she does not oppose the dismissal.

Accordingly, Plaintiff's motion to voluntarily dismiss (Doc. 13) is **GRANTED**, and this action is **DISMISSED without prejudice** pursuant to Federal Rule of Civil Procedure 41(a)(2). The parties shall bear their own costs. In light of this dismissal, the Court **VACATES** all court dates.

**IT IS SO ORDERED.**

DATED: 1/16/09

s/ *G. Patrick Murphy*  
G. Patrick Murphy  
United States District Judge